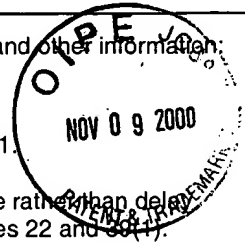


FORM PTO-1390 (REV 11-98)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER 117-319
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) 09/646,568
INTERNATIONAL APPLICATION NO. PCT/GB99/00849	INTERNATIONAL FILING DATE 18 March 1999	PRIORITY DATE CLAIMED 20 March 1998
TITLE OF INVENTION DIAGNOSTICS AND VACCINES FOR MYCOBACTERIAL INFECTIONS OF ANIMALS AND HUMANS		
APPLICANT(S) FOR DO/EO/US HERMON-TAYLOR et al		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 34(1).</p> <p>4. <input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</p> <p>5. A copy of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p>a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</p> <p>b. <input checked="" type="checkbox"/> has been transmitted by the International Bureau.</p> <p>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)).</p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</p> <p>b. <input type="checkbox"/> have been transmitted by the International Bureau.</p> <p>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p>d. <input type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
<p>Items 11. To 16. Below concern document(s) or information included:</p> <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</p> <p>14. <input type="checkbox"/> A substitute specification.</p> <p>15. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>16. <input type="checkbox"/> Other items or information.</p>		



117-319
MJW



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: ASSISTANT COMMISSIONER FOR PATENTS
Box PCT
Washington, D.C. 20231

U.S. APPLICATION NO. 09/646568	FIRST NAMED APPLICANT HERMON T	ATTY. DOCKET NO. 117-319
NIXON & VANDERHYE 1100 NORTH GLEBE ROAD 8TH FLOOR ARLINGTON, VA 22201		
INTERNATIONAL APPLICATION NO. PCT/GB99/00849		
I.A. FILING DATE 18 MAR 99	PRIORITY DATE 20 MAR 98	
DATE MAILED: 19 OCT 2000		

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),
- ☒ an Elected Office (37 CFR 1.495):
- ☒ U.S. Basic National Fee.
- ☒ Copy of the international application in:
 - ☐ a non-English language.
 - ☒ English.
- ☐ Translation of the international application into English.
- ☐ Oath or Declaration of inventors(s) for DO/EO/US.
- ☐ Copy of Article 19 amendments.
- ☐ Translation of Article 19 amendments into English.
- ☐ The International Preliminary Examination Report in English and its Annexes, if any.
- ☐ Translation of Annexes to the International Preliminary Examination Report into English.
- ☒ Preliminary amendment(s) filed 20 Sept 00 and
- ☐ Information Disclosure Statement(s) filed and
- ☐ Assignment document.
- ☐ Power of Attorney and/or Change of Address.
- ☐ Substitute specification filed
- ☐ Verified Statement Claiming Small Entity Status.
- ☒ Priority Document.
- ☒ Copy of the International Search Report and copies of the references cited therein.
- ☐ Other:

DOCKETED

PLT/MATTER # 117-319
MAIL DATE 10/19/2000
DUE DATE NOV 19, 2000
FINAL DEADLINE APRIL 19, 2001
DOCKETED BY MEY MGS

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 - ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.
 - ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☐ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed:

☐ PCT/DO/EO/917 ☐ Notice of Defective Translation

☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

Mamie P. Person

Telephone: 703-305-3737

RULE 63 (37 C.F.R. 1.63)
DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

I, a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:
NOVEL POLYNUCLEOTIDES AND POLYPEPTIDES IN PATHOGENIC MYCOBACTERIA AND THEIR USE AS DIAGNOSTICS, VACCINES AND TARGETS FOR CHEMOTHERAPY

the specification of which (check applicable box(es)):

☐ is attached hereto
☐ was filed on 19 June 1998 as U.S. Application Serial No. (To Be Assigned) (Atty Dkt. No. 117-260)
☒ was filed as PCT International application No. PCT/GB96/03221 on 23 December 1996
and (if applicable to U.S. or PCT application) was amended on 22 December 1997

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. 1.56. I hereby claim foreign priority benefits under 35 U.S.C. 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed or, if no priority is claimed, before the filing date of this application:

Priority Foreign Application(s):

Application Number
9526178.0Country
Great BritainDay/Month/Year Filed
21 December 1995

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.
Application Number _____ Date/Month/Year Filed _____

I hereby claim the benefit under 35 U.S.C. 120/365 of all prior United States and PCT International applications listed above or below and, insofar as the subject matter of each of the claims of this application is not disclosed in such prior applications in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. 1.56 which occurred between the filing date of the prior applications and the national or PCT international filing date of this application:

Prior U.S./PCT Application(s):

Application Serial No.
PCT/GB96/03221Day/Month/Year Filed
23 December 1996Status: patented
pending, abandoned

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. And I hereby appoint NIXON & VANDERHYE P.C., 1100 North Glebe Rd., 8th Floor, Arlington, VA 22201-4714, telephone number (703) 818-4000 (to whom all communications are to be directed), and the following attorneys thereof (of the same address) individually and collectively my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent: Arthur R. Crawford, 25327; Larry S. Nixon, 25640; Robert A. Vanderhye, 27076; James T. Hosmer, 30184; Robert W. Faris, 31352; Richard G. Besha, 22770; Mark E. Nusbaum, 32348; Michael J. Keenan, 32106; Bryan H. Davidson, 30251; Stanley C. Spooner, 27393; Leonard C. Mitchard, 29009; Duane M. Byers, 32363; Jeffrey H. Nelson, 30481; John R. Lastova, 33149; H. Warren Burnam, Jr. 29366; Thomas E. Byrne, 32205; Mary J. Wilson, 32955; J. Scott Davidson, 33489; Alan M. Kagen, 36178; William J. Griffin, 31260; Robert A. Molan, 29834; B. J. Sadoff, 36663; James D. Berquist, 34776; Updeep S. Gill, 37334."

1. Inventor's Signature: John Hermon-Taylor Date: 14 July 1998
Inventor: John HERMON-TAYLOR British
(first) MI (last) (citizenship)
Residence: (city) London (state/country) United Kingdom
Post Office Address: St. George's Hospital Medical School, Dept. Of Surgery, Cranmer Terrace, London, United Kingdom
(Zip Code) SW17 0RE

2. Inventor's Signature: Tim DORAN Date: 5/8/1998
Inventor: Tim DORAN Australian
(first) MI (last) (citizenship)
Residence: (city) Whillington (state/country) Australia
Post Office Address: 1/8 Oxford Street, Whillington, Australia
(Zip Code) VIC 3219

FOR ADDITIONAL INVENTORS, check box ☒ and attach sheet with same information and signature and date for each.

RULE 63 (37 C.F.R. 1.63)
**DECLARATION AND POWER OF ATTORNEY
 FOR PATENT APPLICATION
 IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Nixon & Vanderhye P.C. (12/95)

Page 2

3. Inventor's Signature: *Douglas* Date: 14/8/98
 Inventor: Douglas (first) MI (last) MILLAR (last) British (citizenship)
 Residence: (city) North Ryde (state/country) Australia
 Post Office Address: Csiro Division of Biomolecular Engineering P.O. Box 184, North Ryde, Australia
 (Zip Code) NSW 2113
4. Inventor's Signature: *Mark* Date: 5/8/98
 Inventor: Mark (first) MI (last) TIZARD (last) British (citizenship)
 Residence: (city) London (state/country) United Kingdom
 Post Office Address: St. George's Hospital Medical School, Dept. Of Surgery, Cranmer Terrace, London, United Kingdom
 (Zip Code) SW17 0RE
5. Inventor's Signature: *M. Loughlin* Date: 24.7.98
 Inventor: Mark (first) MI (last) LOUGHLIN (last) British (citizenship)
 Residence: (city) London (state/country) United Kingdom
 Post Office Address: St. George's Hospital Medical School, Dept. Of Surgery, Cranmer Terrace, London, United Kingdom
 (Zip Code) SW17 0RE
6. Inventor's Signature: *Nazira* Date: 14th July 1998
 Inventor: Nazira (first) MI (last) SUMAR (last) British (citizenship)
 Residence: (city) London (state/country) United Kingdom
 Post Office Address: St. George's Hospital Medical School, Dept. Of Surgery, Cranmer Terrace, London, United Kingdom
 (Zip Code) SW17 0RE
7. Inventor's Signature: *John* Date: 27/7/98
 Inventor: John (first) MI (last) FORD (last) British (citizenship)
 Residence: (city) London (state/country) United Kingdom
 Post Office Address: St. George's Hospital Medical School, Dept. Of Surgery, Cranmer Terrace, London, United Kingdom
 (Zip Code) SW17 0RE
8. Inventor's Signature: _____ Date: _____
 Inventor: _____ (first) _____ MI _____ (last) _____ (citizenship)
 Residence: (city) _____ (state/country) _____
 Post Office Address: _____
 (Zip Code) _____
9. Inventor's Signature: _____ Date: _____
 Inventor: _____ (first) _____ MI _____ (last) _____ (citizenship)
 Residence: (city) _____ (state/country) _____
 Post Office Address: _____
 (Zip Code) _____
10. Inventor's Signature: _____ Date: _____
 Inventor: _____ (first) _____ MI _____ (last) _____ (citizenship)
 Residence: (city) _____ (state/country) _____
 Post Office Address: _____
 (Zip Code) _____
11. Inventor's Signature: _____ Date: _____
 Inventor: _____ (first) _____ MI _____ (last) _____ (citizenship)
 Residence: (city) _____ (state/country) _____
 Post Office Address: _____
 (Zip Code) _____